

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHRISTINA GRASTY	:	
	:	CIVIL ACTION
v.	:	
	:	NO. 21-2476
DAVITA, INC. D/B/A DAVITA SOUTH	:	
BROAD STREET DIALYSIS	:	

**ORDER**

**AND NOW**, this 25th day of July 2024, upon consideration of the Motion of Defendant Renal Treatment Centers – Northeast, Inc. for Summary Judgment (ECF No. 30), and all documents submitted in support thereof and in opposition thereto, it is **ORDERED** that the Motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. Defendant’s Motion will be denied with respect to whether Plaintiff had a qualifying disability under the ADA.
2. Defendant’s Motion will be granted with respect to whether Plaintiff was regarded as disabled, causation, and the *McDonnell Douglas* burden shifting framework of Plaintiff’s disability discrimination claim and Plaintiff’s failure to accommodate and retaliation claims.

The Clerk of Court is directed to mark this matter as **CLOSED**.

**BY THE COURT:**

/s/ R. Barclay Surrick  
**R. BARCLAY SURRICK, J.**